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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,083	06/06/2001	Dean C. Marchand	COS-99-012	6214

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EXAMINER

DEANE JR, WILLIAM J

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 09/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/875,083

Applicant(s)

MARCHAND ET AL.

Examiner

William J Deane

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-14, 17, 18 and 21-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-14, 17, 18 and 21-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 – 5, 7 – 8, 10 – 11, 14, 17 – 18 and 21 – 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,495,521 (Rangachar).

Rangachar teaches a method of preventing fraud associated with a special service call comprising storing an originating phone number associated with the call in a database, determining whether subsequent calls to the special service call number corresponds to the stored originating phone number, blocking the subsequent call if the call corresponds to the stored originating number and providing the suspicious originating number to another database accessible by the LEC (See Col. 4, lines 25 – 41, Col.3, line 53, Summary of Invention and Col. 5, lines 62 – 67) .

Therefore, Rangachar teaches the claimed device except for the

IXC. If the TSN is the LEC, note at Col. 11, lines 37+, which describes that CS1, could be remote. It would have been obvious to one of ordinary skill in the art to place the CS1 wherever it was deemed necessary, for example, at the IXC.

With respect to claim 2, note CSAM.

With respect to claim 3, note Col. 3, line 52 and Col. 4, line 52.

With respect to claim 4, note Col. 4, line 41 and Col. 5, line 24.

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With respect to Claim 5, note Col. 5, lines 25 – 36 and Col. 6, line 64 – Col. 7, line 28

With respect to claim 7, bridges are old in the art and would be obvious to one of ordinary skill in the art to use a bridge wherever it was deemed necessary.

With respect to claim 8, note the Figs.

With respect to claim 10 – 11, note the above rejections and Col. 10, lines 54 – 65.

With respect to claim 14, note Fig.2 and the fraud intelligence unit and the alert report.

With respect to claim 17, note Col. 4, line 41 and Col. 5, line 24.

With respect to claim 18, note Col. 3, lines 52 and 53 and Col. 4, line 44.

Claims 21 – 25, are similar to the claims above and would be rejected in a similar fashion

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rangachar in view of U.S. Patent No. 5,436,957 (McConnell).

Rangachar teaches the claimed device except for the particulars of an AIN network. Note that Rangachar teaches a CCIS signaling system. This out of band signaling has been replaced with a newer out of band signaling called SS7. McConnell teaches the use of SS7 (note Fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art to have provided the Rangachar device and method with SS7 as taught by McConnell as such would only entail the replacing of one well known out of band signaling for another.

With respect to claim 12, note that McConnell teach the use of SMS, SCP in an SS7 signaling system. It would have been obvious to one of ordinary skill in the art to have provided the Rangachar device and method with the system as taught by McConnell as such would only entail the substitution of one intelligent network for another. In addition, with respect to the SSCP it would have been obvious to use an SSCP wherever it was deemed necessary.

With respect to claim 13, the use of ACDs are well known in the art and it would have been obvious to one of ordinary skill in the art to use an ACD wherever it was deemed necessary. In addition, note the use of an IVR in McConnell (Col. 1, line 36). An IVR is usually the front end of an ACD.

### ***Response to Arguments***

Applicant's arguments filed 07/01/03 have been fully considered but are not deemed persuasive to any error in the rejections above.

It appears that applicants' main argument is that Rangachar does not talk about an IXC. However, it is noted and pointed out by the examiner in earlier rejections that the Rangachar does teach the use of toll networks (Col. 5, lines 62 – 67). Rangachar teaches a telecommunications switching network (TSN), which could be an IXC. Though the examiner equated the TSN with being an LEC, it is possible for the TSN to be an IXC. Whether the TSN is considered an LEC or IXC or some other network is of no real importance to applicants' position. If the TSN is considered an IXC the 103 rejection would be stronger and could possible be a strong 102 rejection. If one considers the TSN to be an LEC or another network the 103 rejection is solid. That is,

to do the same or similar thing in one network would have been obvious to one of ordinary skill to do in another network. Even if the examiner agreed with applicants' interpretation of what the CS1 contains or does, it is obvious that Rangachar does what applicants' device does as presently claimed. Whether the CS1 stores the originating numbers alone or in combination with other devices within the TSN would not help applicants' position.

In short, any fair reading of Rangachar, would lead one of ordinary skill in the art to the conclusion that the present application is not patentable, as presently claimed, over the Rangachar reference.


### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bill Deane whose telephone number is (703) 306-5838. In addition, facsimile transmissions should be directed to Bill Deane at facsimile number (703) 872-9314.

  
**WILLIAM J. DEANE, JR.**  
**PRIMARY EXAMINER**  
15 Sep 03